

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOMBARDIER INC.,

Plaintiff,

v.

MITSUBISHI AIRCRAFT
CORPORATION, et al.,

Defendants.

CASE NO. C18-1543JLR

ORDER

Before the court is Defendants Aerospace Testing Engineering & Certification, Inc. (“AeroTEC”), Michel Korwin-Szymanowski, Laurus Basson, and Cindy Dornéval’s (collectively, “Defendants”) motion for clarification of the court’s order on two motions to dismiss. (Mot. (Dkt. # 140); *see also* 4/15/19 Order (Dkt. # 136).) Plaintiff Bombardier Inc. opposes the motion (Resp. (Dkt. # 156)), and Defendants filed a reply (Reply (Dkt. # 182)). For the following reasons, the court DENIES Defendants’ motion.

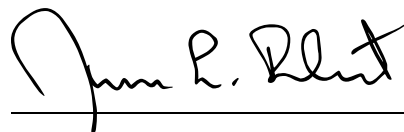
//

1 Defendants ask the court to clarify four statements from the court's 48-page order
2 to better reflect the legal standard under which the court determined its order. (Mot. at
3 1-3.) Defendants note that "[a]t least one publication" has cited a statement from the
4 court's order as a "finding . . . because it is isolated from the context of the applicable
5 standard and limited scope of a 12(b)(6) motion." (*Id.* at 2 n.2.)

6 The court's April 15, 2019, order concerned two motions to dismiss pursuant to
7 Federal Rule of Civil Procedure 12(b)(6). (*See* 4/15/19 Order at 9; *see also* MITACA
8 MTD (Dkt. # 54); AeroTEC MTD (Dkt. # 56).) The court laid out the Rule 12(b)(6)
9 motion to dismiss standard (4/15/19 Order at 10-11) and referenced this standard
10 throughout the motion (*see, e.g., id.* at 18, 22, 25, 27, 30, 32, 38, 44, 45). The court
11 concludes that its order is sufficiently clear.

12 In light of the parties' excessive motions practice to date and their disproportionate
13 burden on judicial resources, the court places the following restriction on all parties: no
14 party shall file a motion without first contacting chambers by telephone and obtaining the
15 court's permission to file the requested motion.

16 Dated this 28th day of May, 2019.

17
18 

19 JAMES L. ROBART
20 United States District Judge
21
22